

REMARKS

Claims 1-62 are pending in the application, and are currently subject to restriction requirement. Accordingly, claims 1-62 are at issue.

Applicants provisionally elect claims 36-53 with traverse. The restriction requirement requires applicants to elect between Species 1 (related to Fig. 7c); Species 2 (illustrated by Fig. 9); Species 3 (illustrated by Fig. 10); and Species 4 (illustrated by Fig. 11). Applicants object to this attempted division.

First, the claims are not necessarily limited to the embodiments illustrated in the figures. By making a provisional election (as required to make a responsive reply, Paper No. 7, p. 4), Applicants do not concede that the claims are limited to the corresponding figures.

Second, several of the provisionally elected claims (Species 1) may use one or more of the structures of Species 2, 3, and 4. The provisionally elected claims are therefore read on all of the species identified in Paper No. 7. Provisionally elected independent claim 36 for example, claims, inter alia, “a plurality of remote high speed communication transceivers connected to a second end of the transmission line, each remote high speed communication transceiver including a first receiver, a transmission line interface, and a transmitter selectively coupled to the transmission line...” App., p.22. This claim language reads on the structures disclosed in Figs. 9, 10, and 11. Fig. 9 illustrates an example of a high speed communication transceiver having a receiver (RX) a transmission line interface (Hybrid) and a transmitter (TX), where the transmitter is selectively coupled to the transmission line by a switch (SW1) and through the Hybrid. Fig. 10 illustrates a Receiver (RX), a Transmitter (TX) and a transmission line interface (Hybrid), with the transmitter being selectively coupled to the transmission line through the Hybrid and a switch (SW3). Fig. 11 illustrates two receivers (RX1, RX2), a transmitter (TX),

and a Hybrid, with the transmitter being selectively coupled to the transmission line by the Hybrid and a switch (SW5).

Claim 37, depends from claim 36 and further recites that the transmitter is selectively coupled to the transmission line by a first switch and the transmission line interface. Any of switches SW1 (Fig. 9), SW3 (Fig. 10), and SW5 (Fig. 11) may satisfy the “first switch” language in dependent claim 37. However, other claims which depend from claim 37 (and therefore, from claim 36) expressly recite structure which is illustrated only in one of Figs. 9, 10, or 11. For example, dependent claim 38 claims that the transmitter (TX) is coupled to the transmission line interface (Hybrid) by the first switch (SW1) and the transmission line interface is connected to the transmission line, which is an example that is illustrated in Fig. 9. Dependent claim 40, in contrast, claims the first receiver (RX) is selectively coupled to the transmission line interface (Hybrid) by a second switch (SW2) and the transmission line interface is selectively coupled to the transmission line by the first switch (SW3, in this embodiment), which is a configuration that is illustrated in Fig. 10. Finally, dependent claim 42 claims that the communication transceiver further includes a second receiver (RX2) selectively coupled to the transmission line by the first switch (SW5, in this embodiment), which is a configuration that is illustrated in Figure 11. See also, claim 53, which recites structure in means-plus-function language, and therefore may draw upon any of the structure corresponding to the claimed function as 35 U.S.C. § 112, ¶6 illustrated in Figs. 9, 10, or 11.

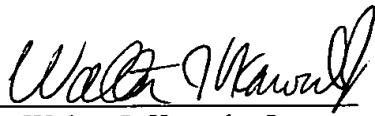
Because independent claims (e.g., claim 36) include language that reads on all of the embodiments illustrated in Figs. 9, 10, and 11 (designated as Species 2, 3, and 4 by Paper No. 7), and because each of the asserted species are recited in dependent claims of the provisionally elected species, it is respectfully submitted that the restriction requirement should be withdrawn.

Claims 1-12 correspond to Species 2, as defined in Paper No. 7. Claims 13-24 correspond to Species 3. Claims 25-35 correspond to Species 4. However, because claim 36 (e.g., Species 1) and its dependent claims include language that reads on Species 2, 3 and 4, claims 1-35 should be examined at the same time as claims 36-43.

If the examiner finds that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,

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July 30, 2004

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